

SEC. 3. The fact that there is no law now existing upon this subject and the short time existing before the adjournment of the present session of this Legislature, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and this bill be placed upon third reading and final passage and that it take effect from and after its passage, and it is so enacted.

[NOTE.—The enrolled bill shows that the foregoing Act passed, the Senate, no vote given, and passed the House of Representatives, no vote given.]

Approved March 19, 1923.
Effective 90 days after adjournment.

WATER—PENALTY FOR POLLUTING.

S. B. No. 219]

CHAPTER 85.

An Act amending Article 695a of the Penal Code of the State of Texas, relating to the pollution of water courses and other bodies of water; declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. That Article 695a, Penal Code of State of Texas be, and the same is hereby amended so as to hereafter read as follows:

Article 695a. Unlawful to Pollute Water Courses and Other Bodies of Water; Penalty; Persons Liable; Provisions.—That it shall be unlawful for any person, firm or corporation, private or municipal to pollute any water course or other public body of water, by throwing, casting or depositing, or causing to be thrown, cast or deposited any crude petroleum, oil or other like substance therein, or to pollute any water course, or other public body of water, from which water is taken for the uses of farm live stock, drinking and domestic purposes, in the State of Texas, by the discharge, directly or indirectly, of any sewage or unclean water or unclean or polluting matter or thing therein, or in such proximity thereto as that it will probably reach and pollute the waters of such water course or other public body of water from which water is taken, for the uses of farm live stock, drinking and domestic purposes; and provided further that drain ditches, where waste oil finds its way into water courses or public bodies of water, shall be equipped with traps or sufficient capacity to arrest the flow of oil. In so far as concerns the protection of fish and oysters, the Game, Fish and Oyster Commissioner, or his deputies, may have jurisdiction in the enforcement of this Act. A violation of this provision shall be punished by a fine of not less than one hundred dollars and not more than one thousand dollars. When the offense shall have been committed by a firm, partnership or association, each member thereof who has knowledge of the commission of such offense, shall be held guilty. When committed by a private corporation, the officers and members of the board of di-

rectors, having knowledge of the commission of such offense, shall each be deemed guilty; and when by a municipal corporation the mayor and each member of the board of aldermen or commission, having knowledge of the commission of such offense, as the case may be, shall be held guilty as representatives of the municipality; and each person so indicated as above shall be subject to the punishment provided hereinbefore; provided, however, that the payment of the fine by one of the persons so named shall be a satisfaction of the penalty as against his association for the offenses for which he may have been convicted; provided, the provisions of this Act shall not apply to any place or premises of manufacturing plants whose affluents contain no organic matter that will putrify, or any poisonous compounds, or any bacteria dangerous to public health or destructive of the fish life of streams or other public bodies of water.

SEC. 2. The fact that the practice of throwing, depositing or casting crude petroleum, oils, or other like substances into the public waters of the State of Texas is polluting the water courses and other public bodies of water within the State of Texas and killing the fish therein and rendering the same useless and unwholesome, and the crowded condition of the calendar at this session of the Legislature, create an emergency and imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and that this Act take effect and be in force from and after its passage, and the said rule is hereby suspended, and it is so enacted.

[NOTE.—The enrolled bill shows that the foregoing Act passed the Senate, no vote given; and passed the House of Representatives, with amendments, no vote given; and that the Senate concurred in House amendments, no vote given.]

Approved March 19, 1923.
Effective 90 days after adjournment.

APPROPRIATION FOR THE STATE PENITENTIARY SYSTEM.

S. B. No. 400.

CHAPTER 86.

An Act making an emergency appropriation for the State penitentiary system; providing that no part of same shall be used in or available for the payment of certain alleged notes alleged to have been executed by the Board of Prison Commissioners; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. There is hereby appropriated out of the State Treasury the sum of six hundred thousand (\$600,000.00) dollars for the support, maintenance and operation of the State Penitentiary System, same to be available immediately upon the passage of this Act, and to be drawn from the treasury and expended by the Board of Prison Commissioners in the manner provided by law.